

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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FILE COPY

STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF THE DISCIPLINARY
PROCEEDINGS AGAINST

EDNA L. ZELLMER, LPN,
RESPONDENT

FINAL DECISION AND ORDER
94 NUR 065

ORDER 0001637

The parties to this action for the purposes of Wis. Stats. sec. 227.53 are:

Edna L. Zellmer, LPN
2620 North Helen #206
Appleton, WI 54911

Board of Nursing
P.O. Box 8935
Madison, WI 53708-8935

Department of Regulation and Licensing
Division of Enforcement
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of the Board. The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Edna L. Zellmer (D.O.B. 03/10/33) is duly licensed as a practical nurse in the state of Wisconsin (license #18366). This license was first granted on December 10, 1976.
2. Ms. Zellmer's most recent address on file with the Wisconsin Board of Nursing is 2620 North Helen #206, Appleton, WI 54911.
3. On or about April 4, 1994, Ms. Zellmer was working as a practical nurse at Outagamie Health Care Center, 3400 West Brewster Street Appleton, Wisconsin. During a dispute with resident JS, Ms. Zellmer threw some soda at this resident.
4. In resolution of this matter, Ms. Zellmer consents to entry of the following Conclusions of Law and Order.

Robert Ance

*11/11/94
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CONCLUSIONS OF LAW

By the conduct described above, Edna L. Zellmer is subject to disciplinary action against her license to practice as a practical nurse in the state of Wisconsin, pursuant to Wis. Stats. §441.07(1).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that Edna L. Zellmer, LPN is REPRIMANDED.

IT IS FURTHER ORDERED that

Within nine (9) months from the date of this order Ms. Zellmer shall submit documentation of successful completion of at least eight (8) hours of continuing education or other training acceptable to the Board in the area(s) of stress and/or anger management. To be acceptable, the course or training shall be pre-approved by a member or designated agent of the Board of Nursing. Acceptable documentation shall include certification from the sponsoring organization as well as a statement signed by Ms. Zellmer verifying that she attended the course in its entirety.


In the event that Ms. Zellmer fails to timely comply with the education requirement set forth above, her nursing license shall be suspended, without further notice or hearing, until she has complied with the terms of this Order.

Violation of any of the terms of this Order shall be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Ms. Zellmer's license; the Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order.

This Order shall become effective upon the date of its signing.

BOARD OF NURSING

By:


A Member of the Board

Date

7/8/94

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STATE OF WISCONSIN
BEFORE THE BOARD OF NURSING

IN THE MATTER OF	:	
DISCIPLINARY PROCEEDINGS AGAINST	:	STIPULATION
EDNA L. ZELLMER, LPN,	:	94 NUR 065
RESPONDENT	:	

It is hereby stipulated between Edna L. Zellmer, personally on her own behalf and Steven M. Gloe, Attorney for the Department of Regulation and Licensing, Division of Enforcement, as follows that:

1. This Stipulation is entered into as a result of a pending investigation of Ms. Zellmer's licensure by the Division of Enforcement. Ms. Zellmer consents to the resolution of this investigation by stipulation and without the issuance of a formal complaint.

2. Ms. Zellmer understands that by the signing of this Stipulation she voluntarily and knowingly waives her rights, including: the right to a hearing on the allegations against her, at which time the state has the burden of proving those allegations by a preponderance of the evidence; the right to confront and cross-examine the witnesses against her; the right to call witnesses on her behalf and to compel their attendance by subpoena; the right to testify her; the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision; the right to petition for rehearing; and all other applicable rights afforded to her under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, and the Wisconsin Administrative Code.

3. Ms. Zellmer is aware of her right to seek legal representation and has been provided the opportunity to seek legal advice prior to signing this stipulation.

4. Ms. Zellmer agrees to the adoption of the attached Final Decision and Order by the Board of Nursing. The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board's order, if adopted in the form as attached.

5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.

6. The parties to this stipulation agree that the attorney for the Division of Enforcement and the member of the Board of Nursing assigned as an advisor in this investigation may appear before the Board for the purposes of

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speaking in support of this agreement and answering questions that the members of the Board may have in connection with their deliberations on the stipulation.

7. The Division of Enforcement joins Ms. Zellmer in recommending that the Board adopt this Stipulation and issue the attached Final Decision and Order.

Edna L. Zellmer LPN
Edna L. Zellmer, LPN

6-6-94
Date

Steven M. Glos
Steven M. Glos, Attorney
Division of Enforcement

6.9.94
Date



PDF: DE00000001832-19940708

Order Dates:

JUL 08, 1994

Respondent Names:

ZELLMER, EDNA L., LPN

Complaint IDs:

94NUR065

Profession:

LICENSED PRACTICAL NURSE

Boards:

NUR

Short Description:

REPRIMANDED. COMPLETE 9 CE HOURS WITHIN 9 MONTHS.

Case Summary:

WHILE ON DUTY DURING A DISPUTE WITH A RESIDENT OF A HEALTH CARE CENTER THREW SOME SODA AT THE RESIDENT.

